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File #: 2021-502

Type: Consent Calendar Item

Body: [City Council](#)

On agenda: 1/19/2021

Title: Adoption of Resolution Amending the City of Alameda's Employer/Employee Relations Resolution and Superseding the Following Resolutions: 7476, 7477, 7684 and 14894. (Human Resources 2510)

Attachments: 1. [Exhibit 1 - Resolution No. 7476](#), 2. [Exhibit 2 - Resolution No. 7477](#), 3. [Exhibit 3 - Resolution No. 7684](#), 4. [Exhibit 4 - Resolution No. 14894](#), 5. [Resolution](#)

Text

Title:

Adoption of Resolution Amending the City of Alameda's Employer/Employee Relations Resolution and Superseding the Following Resolutions: 7476, 7477, 7684 and 14894. (Human Resources 2510)

Body:

To: Honorable Mayor and Members of the City Council

EXECUTIVE SUMMARY

The City of Alameda's (City) Employer/Employee Relations Resolution (EERR), Resolution No. 7476, and its Administrative Resolution, Resolution No. 7477, jointly implement the Meyers-Milias-Brown Act by establishing procedures for administration of employer-employee relations between the City and its employee organizations. While Resolution No. 7476 is considered the actual Employer/Employee Relations Resolution, No. 7477 adopted rules and regulations to carry out the provisions of Resolution 7476. Collectively, they are referred to as the "EERR". There are also two amendments to the EERR that are in separate documents (Resolutions No. 7684 and No. 14894). As a result individuals have to refer to four different documents when reviewing the EERR. .

The City's current Employer/Employee Relations Resolutions No. 7476 and No. 7477 were originally adopted in 1969. The current EERR is outdated and cumbersome. The attached proposed Employer/Employee Relations Resolution reflects updated guidance and the current state of the law. Adoption will simplify review by consolidating the EERR from multiple documents into one document.

BACKGROUND

Chapter 10, Division 4, Title 1 of the Government Code of the State of California was amended effective January 1, 1969, for the purpose of promoting improved employer-employee relations between public employers and their employees by establishing uniform and orderly methods of communication between employees and the public agencies by which they are employed.

California Government Code, Sections 3500 *et seq.* authorizes a public employer to adopt its own reasonable rules and regulations governing employment relations after consultation in good faith with employee organizations. The City's current Employer/Employee Relations Resolutions were originally adopted in 1969 and require updating.

DISCUSSION

Human Resources staff, in consultation with the City Attorney's office and outside counsel, have consolidated the current resolutions into one document. Staff's objective was to have one document that reflects current law and provides clear rules and regulations for the City and its employees to follow.

While most changes were made to modernize language or ensure the document was clear and concise, the new EERR specifically incorporates legislatively required provisions regarding fact finding. Fact finding is a mechanism to help parties settle contract negotiations by having the parties submit their disputes to a fact finding panel.

The revised EERR also changes the timing of when a decertification petition or a modification petition of an exclusively recognized employee organization can be submitted. Currently a petition can be submitted in the month of November or anytime approved by the Employee Relations Officer. This language has been changed to allow a petition to be filed once a 12 month period and not within 90 days of the expiration of a contract. This change provides stability both to the City and to labor groups.

The City has shared the revisions with all City labor groups. These groups have provided input into the final draft that is being presented tonight. All are in support of the revised EERR.

ALTERNATIVES

1. Adopt the revised Employer/Employee Relations Resolution
2. Continue to use the current Employer/Employee Relations Resolutions

FINANCIAL IMPACT

There should not be any fiscal impact associated with adopting the updated resolution. Existing staff will continue to implement the EERR and work with labor groups.

MUNICIPAL CODE/POLICY DOCUMENT CROSS REFERENCE

This action is in conformance with the Alameda Municipal Code and all policy documents.

CLIMATE IMPACTS

The recommendations in this item support the City's Climate Action and Resiliency Plan by increasing transparency and social resilience by providing employees with a document that clearly states the rules and regulations governing employment relations.

RECOMMENDATION

Adopt a Resolution amending the City of Alameda's Employer/Employee Relations Resolution and superseding the following resolutions: 7476, 7477, 7684 and 14894.

CITY MANAGER RECOMMENDATION

The City Manager concurs with the HR Director's recommendation.

Respectfully submitted,
Nancy Bronstein, Human Resource Director

Financial Impact section reviewed,
Annie To, Finance Director

Exhibits:

1. Resolution No. 7476
2. Resolution No. 7477
3. Resolution No. 7684
4. Resolution No. 14894

cc: Eric Levitt, City Manager